

REMARKS

Claims 15-19, 21-30 and 32-35 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 15-19, 21-30 and 32-35 stand rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 6,473,500 (Risafi). This rejection is respectfully traversed.

Risafi is directed generally to a method for using a prepaid card. Although the prepaid card is similar to the cash card described in the present application, Risafi fails to disclose a method for distributing an electronic cash card as recited in Applicant's claimed invention.

For instance, Risafi does not teach or suggest a technique for selling electronic cash cards at a purchase price less than the value of the card. To distinguish the scenario where the card is reloaded with a value which exceeds the initial purchase price, Claim 1 has been amended to clarify that the higher value for the card is updated contemporaneously with the funding (i.e., initial purchase) of the card. Applicant asserts that this minor amendment does not necessitate further searching and thus may be considered at this time.

In addition, Risafi discloses a prepaid card which always requires the use of a personal identification number (PIN). In this way, the prepaid card is more secure than Applicant's invention. However, this approach also necessitates certain drawbacks.

Since the purchaser must select a PIN, the point-of-sale device must be configured with custom software as well as a keypad or other type of user input device.

In contrast, Applicant's invention is directed generally to an innovative method for distributing an electronic cash card. Of note, Claim recites "associating the cash card with data in a data file, wherein the data file indicates that the card has not been funded" and "updating the data file with a value for the cash card upon funding of the cash card at the retail outlet" in combination with other elements of the claim. In other words, the card account is established prior to the purchase of the cash card. Since the card account is established before the card purchase, Applicant's claimed invention can be loaded with conventional point-of-sale devices, thereby making the cash card more readily available in the marketplace. The practicality of implementing Applicant's claimed invention makes this a meaningful distinction from the teachings of Risafi. Therefore, it is respectfully submitted that Claim 15, along with claims depending therefrom, defines patentable subject matter over Risafi.

Applicant notes that independent Claim 26 recites similar subject matter, and thus should be allowable, along with claims depending therefrom, for the same reasons as Claim 15. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

REJECTION UNDER 35 U.S.C. § 101

Claims 15-35 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. This rejection is respectfully traversed.

Applicant asserts that these claims recite statutory subject matter for at least the reasons stated in its previously filed response. Nonetheless, in order to expedite prosecution of this application, Applicant has amended Claim 15 to clarify that at least two of the process steps are performed by a software-implemented application, thereby meeting the technological arts requirement. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection.

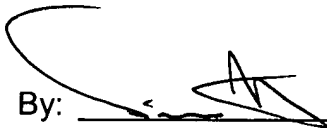
CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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